

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KATE D. CRUZ,

Defendant.

8:23CR206

MEMORANDUM AND ORDER AS TO
RULE 17.1 CONFERENCE

This matter came before the Court on June 25, 2024, for a hearing on the Government's motion (Filing No. 58) for a pretrial conference pursuant to Federal Rule of Criminal Procedure 17.1. The Government was represented by Christopher L. Ferretti, Assistant United States Attorney, and the Defendant was represented by Jason M. Finch. The defendant was not present.

The Court addressed first the defendant's pending motion to continue trial (Filing No. 60). Noting that the Government does not oppose a final continuance of trial, presently scheduled for July 9, 2024, the Court granted the defendant's motion. The Court further ordered that no further continuances of the trial date would be granted without first requesting a hearing before the undersigned magistrate judge.

The parties discussed various matters pertaining to trial, as follows.

1. As to Federal Rule of Evidence 404(b), the government shall provide notice by **September 16, 2024**.
2. As to expert disclosures, by **September 16, 2024**, the government shall make its case-in-chief expert disclosures under Federal Rule of Criminal Procedure 16(a)(1)(G). By **September 23, 2024**, the defendant shall make its case-in-chief expert disclosures under Rule 16(b)(1)(C). By **September 30, 2024**, the government shall make its rebuttal expert disclosures under Rule 16(a)(1)(G).

3. As to trial stipulations, the parties shall reach an agreement in writing by **September 23, 2024**, which shall be provided to the Court. The stipulations shall cover the Type and Schedule of any controlled substance, chain of custody, quantity, and purity as to any seized controlled substances identified through laboratory analysis it intends to introduce at trial; Spanish language translations of seized communications; and any further stipulations in order to promote a fair and expeditious trial.
4. As to trial witnesses, by **September 23, 2024**, the parties shall reach an agreement regarding the government utilizing a single agent to testify to the narcotics seized and submitted into evidence by investigators, and offering any additional evidentiary items seized by law enforcement from searches of a location through a single agent with respect to that event.
5. The Government anticipates 2 trial days for its case in chief, and the parties agreed that the trial would take no longer than 4 total trial days.

IT IS SO ORDERED:

Dated this 25th day of June, 2024.

BY THE COURT:

s/ MICHAEL D. NELSON
United States Magistrate Judge